ON THE 22D OF MARCH, 1854, RESPECTING

MESPATOH FROM LORD HOWDEN, HEE MAJESTY'S MINISTER AT MADRID, TRANSMITTING COPIES OF THE DECREES SIGNED BY THE QUEEN OF SPAIN ON THE 22D MARCH, 1854, PROVIDING FOR THE RESTRICTION OF SLAVE LABOR TO AGRICULTURAL PURPOSES, THE PROTECTION OF PREE LABORHES, AND THE REGISTRATION OF SLAVES, IN THE ISLAND OF CUBA.

ISLAND OF CUBA.

Lord Honden to the Earl of Clarendon.

(Extract.) Madrid, April 13, 1854.

I have the honor to transmit to your lordship by this messenger a copy and translation of a most important document relating to slavery in the Island of Cuba, which was published in the Gazette of this recognize.

orning.
The chief points are the following:—
A determination, publicly expressed, to put down
e slave trade, and to keep faith with Great

ritain.

An endeavor to force the whole slave population f the island into works of agriculture, establishing igh taxes on those retained for household pur-

high taxes on those retained for household purposes.

The organization of a system of colonization for Spaniards, Yucatenese, and Chinese, defining their obligations and rights.

And finally, the compulsory registering of all the claves in the island at this moment, so that any negro (excepting those subsequently born) who is hereafter unregistered, and who does not carry on him a copy of the register, will be considered as unduly introduced, and declared i pso facto free.

Your lordship will see at once two things—the great advantage of such a measure, if properly carried out, and the great difficulty to which it will give rise at the moment of registering, with regard to negroes who will be claimed as legal property, and who yet have been fraudulently introduced since the conclusion of treaties with Spain.

(TRANSLATION.)

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(TRANSLATION.)

Exposition to Her Mujesty.

Simona—One of the most urgent necessities which at present presses upon the Island of Cuba is the scaroity of laborers; agriculture is already affected by it; its effects begin to be noticed in commercial transactions, and, if it be not opportunely remedied, the rich treasures which that fertile island contains will soon be diminished, if not exhausted. The government have carefully studied the causes of the evil, and, in order to remove them, they offer to your Majesty a system of measures which they consider efficacious, if, as is to be expected, there be, on the part of the local authorities, zeal and perseverance in carrying them into execution.

It is not hidden from the high penetration of your Majesty, that the origin of the scarcity which is deplored lies partly in the existence and necessity of slavery, and partly in the treaties in force for the suppression of the slave trade. The Antilles seem condemned by Providence not to give proofs of their fertility unless with the aid of that institution, and at the cost of the race upon whom it weighs. There results hence for the Island of Cuba a social and economical situation, which, although exceptional and anomalous it is necessary to manutain, with all its inconveniences, because there would arise from the design of regulating it by the type of European nations greater detriments for the State, and even for the very race disinherited of civil liberty.

From the necessity of maintaining alavery in those regions was naturally inferred the advantage of permitting, in certain cases, the introduction of new slaves; but as the international treaties and the Spanish laws prohibit and punish it with rigor, his efficient means of preservation has been wanting to slavery, while the developement and encouragement of agriculture have readered it every day more necessary. Whatever may

4. In the right of property over the legitimate slaves not possessing the indispensable guarantees and securities, in consequence of the questions which the understanding and application of the treaties in force for the suppression of the slave trade are daily ing with a powerful nation.

The slaves who now exist in the Island of Cuba would suffice for all the wants of agriculture, not withstanding to losses which they have experienced withstanding to losses which they have experienced

would sum. Joran losses which they have experienced withstanding the losses which they have experienced by recent diseases, a considerable number of them had not been destined in torms to services which free laborers could perform as well or better. This dircumstance makes evident the advantage of removing the slave population from the cities and towns, and dedicating it in the country to the occupations of agriculture. In order to effect this your Majesty decreed, in 1844, the imposition of a capitation tag upon the slaves destined for domestic service; but this measure has not produced the desired effect, first, because all the slaves who dedicate themselves to occupations in which free men might be employed, being excluded from the tax, its influence is limited to a very reduced number of persons, and precisely to those who, from the nature of their occupations, it must be most difficult to attract towards agriculture; and, secondly, because the capitation not exceeding a dollar, or a little more, for each person, it has not been a sufficient stimulus for the Cubins to abandon the inveterate custom of having themselves served by slaves.

In order to attain the desired end, therefore, it

veterate custom of having themselves served by slaves.

In order to attain the desired end, therefore, it will be necessary to extend the tax to all the slaves who are not habitaally employed in agriculture; that is, to those who have not their permanent residence in the estates or rural establishments, and to increase the said tax gradually, in proportion to the wealth of each proprietor, adopting, as the measure thereof, the number of slaves whom he has in his service, and fixing, nevertheless, a prudent limit to the proportional increase, in order not to confound the caprices of luxury with the true wants of industry.

service, and fixing, nevertheless, a prudent limit to the proportional increase, in order not to confound the caprices of luxury with the true wants of industry.

Your Majesty may still offer another more efficacious stimulant to the proprietors of slaves. There is now paid on the sale of them a duty of alcabala, which consists of six per cent of the stipulated price. Exempt from this duty the slaves who are sold or transferred for service in the agricultural battes or establishments, and exact double from those who, having their residences in the said establishments, may be transferred for service in the soundance and advantage than agriculture the labor necessary for its preservation and encouragement. If these measures shall not suffice to attract the slave population towards the fields, it would be difficult to adopt other indirect means which should promise better results. But even though agriculture and industry should go on increasing and developing themelows in the Island of Cuba in the same proportion as hitherto, the government believe, nevertheless, but the slaves now existing would suffice for all the ervices in which they cannot be readily replaced by free laborers, if their reproduction shall be cared for and favored.

The measures which your Majesty may adopt with such an object are also indirect, and of no immediate result, but will doubtless succeed. They consist in encouraging the proprietors to promote marriages among their slaves, and so to benefit themselves by the reproduction of this indispensable race. In order to effect this, the entire produce of the capitation tax before mentioned, ought to be destined to the adjudication of three annual premiums: one in favor of the proprietor whose slaves may have had the greatest number of female slaves in proportion to the men: and another for him who possesses the greatest number of female slaves in proportion to the men: and another for him who has a should also be proper to exempt from all alcabals the compulsory sales of slaves which take plac

slave population increases daily without the aliment of the fraudulent importation of Africans.

But, in spite of what has been previously said, the government are not ignorant that the scarcity of free laborers and artisans, or rather the want of a numerous class from whence they may be drawn, must have contributed in a great measure to all mechanic services being performed by slaves. Thus it is that, in order to facilitate the effect of the measures which have for their object to promote within the towns the replacement of slave laborers by free ones, and in order to remedy immediately, as far as possible, the actual scarcity of labor, it is indispensable to authorize the immigration of white colonists, Spanish or foreign, with whose assistance the free and laboring class which is wanting may be formed in Cuba.

The experiments made up to this time show that this remedy will be efficacions; bat in order to provide for its due developement, it is indispensable to determine the conditions on which the introduction of colonists is to be permitted, and to fix the relations between them and their masters with regard to the public interest and the powers of the government.

tions between them and their masters with re-to the public interest and the powers of the gov

The Governor Captain-General of Cuba, zealous for your Majesty's service, and believing the want of labor to be most urgent, published an ordinance authorizing for two years the free importation of colonists from Spain, China, or Yucata, and making regulations for that purpose, as also for determining the reciprocal rights of the colonists and of their masters. But the government, considering the importance and gravity of the subject, have judged it indispensable, in revising those dispositions, to submit them in the form of a decree to your Majesty's sanction. Its principal objects are—to facilitate the introduction of colonists, in or ier that composition may increase the supply, and thus lower the price of fabor; to prevent the colonists from being imposed upon by avaricious speculators; to empower the government to impose special conditions with the same object on the importers, according to the nationality, number, and circumstances of the colonists to be introduced in each expedition; to give facilities within the limits of the law for fixing the particular conditions of the contracts with the colonists, in order that these contracts may be so drawn up as not to give rise, by ambiguity or obscurity, to questions of difficult solution; to establish a proteotorate confided to the political authority, which may be respected in the contracts; to empower the colonists and of their families, so that those rights may be respected in the contracts; to empower the colonists and of their families, so that those rights may be respected in the contracts; to empower the colonists and their masters to rescind these contracts as a facility of the colonists may not it order that the condition of the colonists may not a corder that the colonists and their masters are respected in the contracts; to empower than that of the slave themselves; to enact measures protective of the health and life of the colonists, in order to prevent the avariace of any master from putting the one or the other in danger; to grant a disopliant p

their inscription in the civil register. This danger will necessarily remove the temptation of profit, which has hitherto maintained that illicit traffic in spite of prosecution.

The negroes fraudulently introduced are worth now as much as legitimate slaves, for as soon as they are disembarked and divided amongst the estates, neither the one nor the other can be the object of legal search, because it is always easy to frustrate any investigation respecting them. But when the register is once established and closed, the tenure of the real slaves will be as secure, as will be ephemeral and uncertain that which it is sought to exercise over those which are not so. This will at least produce a very considerable difference between the value of the respective classes; and the consequence of all this will be, that the slave traders, not finding the risk they run sufficiently compensated by the profit they obtain, will abandon forever so unworthy a traffic.

The obligation which is imposed on the owners, of causing to be noted in the register all the acts and contracts which affect the condition of the slaves, or the rights which are exercised over them, will also contribute, in a great degree, to secure the property over them, and to prevent the frauds which are committed in the transactions concerning them. When the fulfilment of this obligation shall be secured by a declaration that the acts and contracts which are not so registered shall have no effect in regard to third parties, who may not have intervened in the same, no one will be able to alienata the slaves of another, or to sell as free from all lien the partially redeemed slaves (coartados), or to commit any other fraud of the same kind.

But the inscriptions and annotations made in the registers being of such consequence, it is indispensable to secure, by all possible means, the responsibility of the functionaries who are to have the charge of them, and the exactness, clearness, and legitimacy of the statements. With this object, some rules of organization

and encouragement.

Madam, at the royal feet of your Majesty,
(Signed) THE COUNT OF SAN LUIS.

Madrid, March 22, 1854.

Madrid, March 22, 1854.

ROYAL DECREES.

Having considered the report of my President of the Council of Ministers, and in accordance with the opinion of the same Council, I hereby decree the following:—

Article I. All the slaves resident in the island of Cuba who have not their permanent domicile in the agricultural estates or establishments, shall, with certain exceptions, pay a capitation tax.

11. The owners of slaves subject to capitation shall pay annually, instead of the tax established by the royal order of July 29, 1844, the following:—For the first slave, \$2; for the second, \$3; for the third, \$4; and so on for each additional slave, \$1 more. The holder of fifteen slaves, after paying the amount corresponding to that number, according to the preceding paragraph, shall pay \$8 only for each slave that he may have beyond fifteen.

111. No capitation tax shall be exacted for female

III. No capitation tax shall be exacted for female slaves, nor for their children under twelve years of

sieves, nor for their children under twelve years of age.

IV. Married slaves, while they live with their wives, and have living children by them, shall only pay \$2 annually, whatever be the number of slaves that the owner may have, and shall not be included in the assessment for the other slaves belonging to the same owner. If the number of the children amounts to four above twelve years of age, the slave their father shall be exempt from all capitation, even though he may be a widower.

V. The capitation tax shall be exacted from the proprietors in quarterly payments, and a quarter of a year in advance, the first quarter to be payable at the expiration of the first term when the similar tax supppressed by the present decree was to become due.

VI. The produce of this tax shall be paid at once into my royal treasury, and shall be invested in three equal premiums, which shall be abjudicated annually: one to the proprietor of more than fifty slaves who may have had proportionally during the year the greatest number of legitimate or legitimized children; a second to the proprietor who, possessing a greater number of salves than the other competitors, may have had proportionally fewer leases by death during the same period; and a third to the proprietor who, possessing also a greater number of male slaves than the other competitors, may present in equal proportion a greater number of female slaves belonging to him.

VII. These premiums shall be adjudicated on the 19th November of cash year, by a Junta presided over by the Governor. A plain-General, and which shall be composed of the Regent of the Audiencia, of the President of the Tribunal of Commerce of Havana, of two preprietors elected by the corporation of the same capital, and of two merchants selected by the east Tribunal of Commerce from persons not belonging thereto.

VIII. The Capital General of the island, making use of the powers which belong to him as civil governor and superintendent of finance in commission, shall make, subject to my royal approbation, the proper arrangements for the collection, assessment, and punctual levying of this tax.

IX. The Junta de Formento shalt transmit to the political secretary all the informatiful and documents which it may have relating to the suppressed capitation, and shall deliver over tempy royal treasury the produce of the same, which may not have been paid over on the publication of the present decree in the Island of Cuba.

X. No alcabals shall be paid for the slaves who, after the said publication, may be sold or transferred, in order to serve or reside in agricultural estates and establishments, in order that the said slaves may never change their demanders of the slaves the proper arrangements for recording the permanent residence of the slaves the

Having considered the report of the President of my Council of Ministers, and in accordence with the opinion of the same Council, I hereby approve the following regulations for the importation and management of coloniste in the island of Cuba:—

management of colonists in the island of Cuba:—

CHAPTER I.

Of the Importation of Colonists.

Art. I. Private persons who wish to introduce on their account into the island of Cuba, Spanish, Chinese, or Yucatan colonists, shall be able to do so from this day, and for the space of two years, subjecting themselves to the conditions established in these regulations.

II. The importer of the said colonists must previously obtain permission from the government, and must, for that purpose, present a certificate or document showing that the vessel in which they are to be conveyed is fit for the voyage. If the vessel should be in a foreign port, this certificate or document shall be issued by the Spanish Cousul there, and if in a Spanish port by the proper naval authority.

and if in a Spanish port by the proper naval authority.

III. Neither of the said permissions shall be conceded unless the person in whose favor it is issued obliges himself to import the number of women which the government may determine, on taking into consideration the number of the men who are to be imported in each expedition, their nationality, and other circumstances. No tonnage duties shall be paid by the importers for women.

1V. The government, on conceding the permission of which the previous articles treat, may exact from the importers any other conditions which it may think fit with regard to the number, nationality and other circumstances of the colonists who are to be imported.

V. The contracts between the importers and the colonists shall be wristen in the language of the latter, and shall be wristen in the language of the latter, and shall be wristen in the language of the latter, and shall be wristen in the language of the latter, and shall be wristen in the language of the latter, and shall be wristen in the language of the latter, and shall be wristen in the language of the latter, and shall be wristen in the language of the latter, and shall be wristen in the language of the latter, and shall be wristen in the language of the latter, and shall be wristen in the language of the latter, and shall be wristen in the language of the latter, and shall be wristen in the language of the latter, and shall be wristen in the language of the latter, and shall be wristen in the language of the latter, and shall be wristen in the language of the latter, and shall be wristen in the language of the latter, and shall be wristen in the language of the latter, and shall be wristen in the language of the latter and shall be wristen in the language of the latter and shall be wristen in the language of the latter and shall be wristen in the language of the latter and shall be wristen in the language of the latter and shall be wristen in the language of the latter and shall be wristen in the language of the latt

particulars:

1. The age, sex, and place of birth of the colo
2. The time for which his contract is to b

2. The time for which his containing and qualiforce.
3. The wages, and the kind, quantity and quality of the food and clothing which he is to receive.
4. The obligation to afford him medical assistance during illness.
5. Whether the wages are to be stopped when the colonist falls ill from any cause not connected with his work, or independent of the will of the master.
6. The number of hours during which the colonist hairs dealared.

6. The number of hours during which the colomst obliges himself to work each day, it being declared whether the master is to have the power of increasing that number on some days, provided this increase shall be compensated by a proportionate diminution on other days.
7. The obligation of the colonist to indemnify the master for the hours of labor lost to him by the colonists of the colonists.

7. The obligation of the colonist to indemnify the master for the hours of labor lost to him by the coloniat's fault.

8. The obligation of the same colonist to subject himself to the discipline of the estate, workshop, or establishment in which he may have to labor.

9. A clause drawn up in these terms: "I, N. N., assent to the rate of wages above stipulated, although I know that what the free laborers and slaves of the Island of Cuba get is much greater, because I consider this difference to be compensated by the other advantages which my master has to afford to me, as stated in this contract."

10. The signature of the colonist, if he can write, and that of the contractor.

VII. The colonist shall receive, and keep in his possession, a copy of the contract signed by the contractor.

VIII. If the colonists should be Spaniards and under age, they shall not be permitted to contract with the importers without the consent of their parents or guardians. If they should be foreigners and under fourteen years of age, the person on whom they depend must be a party to the contract.

1X. The importers of colonists shall not embark in any vessel more than one person for each ton of measurement on a voyage from the ports of the peninsula; one person for each ton and a half on voyages made from the ports of China, and in the like proportion for the shorter voyage from Yucatan.

X. The importers shall also be bound:—

1. To provide the vessels with water and wholesome food fully sufficient for the number of persons conveyed, and for the length of the voyage.

2. To adopt the necessary precautions in order to maintain in the said vessels the cleanliness and ventilation indispensable for the health of the passengers.

2. To carry a physician and medicine chest on lead the other the property of paracia and medicine chest on

tilation indispensable for the health of the passengers.

2. To carry a physician and medicine chest on board when the number of persons embarked is above a hundred.

4. To subject themselves, on their arrival at any port of Cuba, to the sanatory and police regulations in force there.

XI. In order to ensure the observance of these regulations the colonists must only be imported at the port of Havans, except in case of shipwreck or other inevitable accident, which may render the arrival and landing at some other port a matter of necessity.

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2. To carry a physician and medicine chest on board when the number of persons embarked is above a hundred.
4. To subject themselves, on their arrival at any ort of Cuba, to the sanatory and police regulations in force there.

XI. In order to ensure the observance of these regulations the colonists must only be imported at the port of Havana, except in case of shipwreck or other inevitable accident, which may render the arrival and landing at some other port a matter of accessity.

XII. Within twenty-four hours after the arrival of the vessel, or after its admission to free pratique, the importer shall present a list of the colonists emb barked by him, accompanied by their contracts, and by a return showing the number of those who may have died during the passage, and the causes of their the deaths. The Governor Captain Green, after seeing the deaths. All IT. The importers of colonists at they may think fit, the laster always obliging themselves to fulfil the contracts as the port of the attract of colonists that terms of the original contracts and the contract of the contract and the colonists, and the series of colonists and to conform to these regulations. The persons receiving such transfers of colonists may reassign them to other parties on the same conditions, and if on a transfer of colonist the terms of the original contract has been consistent and the colonists, and the provides of th

transferred from one part of the island to another without a previous intimation to the government.

Of the Rectprocal Obligations and Rights of the Colonists and their Masters.

XVI. The Governor Captain-General of the Island of Cuba shall be the official protector of the solonists and shall execute this trust in the districts through his delegates, the respective Governors or Lieutenant-Governors, who in their turn shall be assisted therein, and without necessity of previous delegation, by the district captains. These functionaries shall proceed in every case, under the direction and orders of the Governors and Lieutenant-Governors.

delegation, by the district captains. These functionaries shall proceed in every case, under the direction and orders of the Governors and Lieutenant-Governors.

XVII. In legal matters, and when the masters of the colonists do not appear for them, the syndies of the corporations, or their substitutes in the manicipal juntas, shall be the defenders of the colonists in the inferior courts, and in the superior courts her Majesty's fiscal officers.

XVIII. The delegated protectors shall attend to the proper treatment of the colonists and the fulfillment of their contracts; they shall propose to the official protector the measures which they consider requisite for their welfare and encouragement, and shall settle equitably and without form of law the questions which may arise between the colonists and their masters.

If these questions should involve any point of law, the protector shall decide them summarily, taking viru voce evidence, and hearing the opinion of an assessor.

If the subject should be of greater legal importance, it shall be decided by the proper authority and according to the established forms of law.

XIX. It is understood that the colonists in signing or accepting their contracts with the importers, reponne the exercise of all civil rights which may be incompatible with the fulfilment of the obligations which they incur, unless some right is treated of which is expressly declared by these regulations.

XX. The colonists may contract marriage with the conset of their masters.

If a colonist who is of age should wish to marry, and his master should oppose it, he may redeem himself from his master under the conditions prescribed in Article XVIII, or he may seek another master, who may receive him with the same conditions.

XXI. The colonists shall exercise over their children all the rights of paternal power, in as far as those rights are compatible with the legal condition of the said children and wives.

XXII. The children of the colonists shall follow the condition of the latter lasts, if born du

the conditions established for those under twelve years old.

XXIII. The children of the colonists born under the power of the masters of their mothers shall have the same right while they follow the condition of the latter, but with the obligation to render in the meantime to the said masters the services of which they are capable according to their age.

XXIV. The married colonists may not be transferred to any person who does not at the same time take both husband and wife and their children under twelve years of age. The masters may not oblige the husbands to live habitually separated from their wives, nor the latter from their children under twelve years of age.

from their wives, nor the latter from their children under twelve years of age.

XXV. The colonists may acquire property, and dispose of what may belong to them by valid title, provided the contracts which they may make do not involve any express or tacit condition, the fulfilment of which may be incompatible with their contracts with the masters.

XXVI. The colonists may also take legal proceedings against their masters, being represented in the manner prescribed in Article XVII, and against other persons being represented by their own masmasters, if the latter should be willing to undertake their defence.

masters, if the latter should be whiling to understand their defence.

If the masters should decline to do so, or if in a suit between him and a third party the master's interest should be opposed to that of his colonists, the latter must be represented by the Syndic in the inferior courts, and by her Majesty's Fiscal in the ferior courts, and by her Majesty's Fiscal in the superior.

XXVII. The colonists who may have made contracts when under twenty years of age, shall have the right of rescinding them when they are twenty-five years of age. Those who may have made contracts when above twenty years old, shall have the same right after six years' contract. The masters shall likewise have the power to rescind them at the same periods at which the colonists have this right. The colonist shall in no case be able to make use of the right recognized in this article unless he indemnifies his master, either by labor or in some other mode, for what he may owe him.

XXVIII. Every colonist shall be able to redeem himself at any time from the power of his master, provided he pays him in cash:

1. The amount which he may have paid for his acquisition.

acquisition.

2. That which the same colonist may owe him as compensation for labor or on any other account.

3. The increased value which, in the judgment of men of skill, the services of the colonist may have acquired since he entered the master's employment.

Ment. 4. The amount of the loss which the master may incur from the difficulty of replacing the colonist by another.

The colonist shall not be able to make use of this right in time of "zafra," or during any other of the pressing employments permitted on holidays.

XXIX. If any master shall treat a colonist harshly, or shall fall to fulfil his engagements towards
him, the colonist may apply to the delegated protector, and if the latter, on hearing both parties,
should be convinced of the justice of the complaint,
he will allow the contract to be annulled.

This anulment may be granted without compensation to the master for what he may have given
for the acquisition of the colonist, and without barring any civil or criminal action on the part of either
party.

ring any civil or criminal action on the part of either party.

XXX. In the days and hours of rest the colonists may work on their own account within the establishment or estate where they reside; and if they should wish to work out of it, they must previously obtain the permission of the master.

In the same days and hours they may also indulge in such harmless amusements as may not disturb the discipline of the establishment or estate.

XXXI. The colonists shall freely dispose of the produce of their property and of their work done in the days and hours of rest, but they shall not be allowed to establish any retail trade against the will of their master.

XXXII. Whenever the colonist wishes to sell his furniture or moveables, he shall inform his master, who shall be preferred pro tanto to any other purchaser.

who shall be preferred pro tanto to any other purchaser.

XXXIII. When the master concedes to his colonist any lot of land for cultivation during the days and hours of rest, the colonist shall acquire the entire produce unless his master may have stipulated otherwise with him.

XXXIV. The colonists shall not be able to leave the estate or establishment in which they serve without the written permission of their master or his delegate, and any colonists found unprovided with such a permit shall be apprehended by the authorities, and taken home at the master's expense.

XXXV. When it may have been stipulated in the contracts that the colonists shall have any particular kind of food, or clothes of a particular make or sort, and if circumstances should prevent the master from providing the same, the kind, quality, or make of either may be altered, but not the quantity.

XLI. When the colonist is ill or conval shall not be obliged to work until the med reclares that he may do so without das

XII. When the colonist is ill or convalescent, he shall not be obliged to work until the medical man declares that he may do so without dasger to his health.

XIII. The masters shall pay their colonists the stipulated wagea in the form and manner agreed upon in the contract.

XI.III. The colonists shall receive the whole of their wagea withe they are ill or convalescent, from illness contracted in consequence of labor, or from any cause dependent on the will of the master. If the illness should proceed from other causes, the colonist will not have the same right, unless it may have been stipulated in the contract.

XI.IV. The colonist who, according to his contract, is entitled to receive his wages during illness arising from whatever cause, shall have no right to demand his wages if his illness arises from any wilful act of his own.

XI.V. For all the purposes of the two previous articles and of Article XXXVI, the diseases of the colonists shall be reported upon by the medical men of the estate or establishment in which the colonists are employed, and in default of them, by two physicians named by the master.

If the colonist should demur to their opinion, he may apply to the delegated protector, in order that by his direction the colonist may be re-examined by two practitioners: one to be named by him, and another by the master, by whose decision both parties shall abide without further appeal. If the physicians named by the master, by whose decision both parties shall abide without further appeal. If the physicians named by the master and the colonist disagree, the delegated protector shall name a third, whose decision shall be final.

XI.VI. The colonists shall compensate their masters for the days and hour during which they may have neglected to work through their own fault, and for that purpose their engagement shall be extended for the necessary time. The colonist shall not receive any wages for the days of labor lost by mis fault, unless the contrary be expressly stipulated in the contracts ought to be

siened by his capture and restitution, out shall have a right to indemnify himself for them by deducting from the fugitive colonist half the wages due to him.

LI. If a master should have in his service non-Catholic colonists, he shall provide for their instruction in the doctrines and morality of the true religion, but without employing other means for this purpose than persuasion and conviction; and if any one shall express a wish to conform to the Catholic faith, the master shall inform the parish priest.

LII. When a colonist shall suffer in his person or interests a wrong or injury, not amounting to a crime, from a free man, or from a colonist of another ownership, the master shall take cognizance of the fact, and if he think the complaint just, shall demand from the offender or his master, by friendly or extra-judicial means, the reparation due; and if these means be not sufficient, he shall seek redress before the competent authority, or state the fact to the Syndic, in order that he may do so. If the complaint of the colonist should be thought unfounded, he shall be informed accordingly, and advised to abandon his complaint; but if the colonist should refuse to do so, he may apply to the Syndic to make the proper claim. When the complaint is directed against tanother colonist belonging to the same master, the latter, or his delegate, shall decide the question in the manner that he thinks just. Either of the parties may appeal against this decision to the protector or his delegate, who shall take cognizance of the matter in the form prescribed in Article XVIII.

LIII. The importers of colonists, and the masters who may fall to comply with any of the obligations or formalities prescribed in this and the previous chapter, shall incur a fine proportionate to the gravity of the case, which shall be imposed summarily, without prejudice to the penal or civil responsibility to which they may be subject, and which the authority will have to exact from them in the proper form.

LIV. The colonists shall not be ent

or the greek, without any difference between them and those who may never have been colonists.

CHATTER III.

Of the Disciplinary Jurisdiction of the Masters.

LVI. The masters shall exercise a disciplinary jurisdiction over their colonists, and in virtue of it shall be able to impose the following punishments:

1. Confinement from one te ten days.

2. Stoppage of wages during that time. The first of these punishments may be inflicted without the second, but the latter may never be applied without the former.

LVII. Whenever the master inflicts on his colonist either of the penalties mentioned in the previous Article, he shall give information within the next twenty-four hours to the proper protector, in order that he may investigate, if he think proper, the offence committed, and may alter the sentence of the master if it should appear unjust.

Any master omitting to give the said notice within the time specified shall be subject to a summary fine of \$25 to \$100.

LVIII. The colonists may in every case complain to the protector of any wrong done them by their masters, whether by punishing them without cause, by imposing penalties which are not within their competence, or by otherwise improperly treating them.

If the protector find the master guilty of any of-

masters, whether by punishing them without cause, by imposing penalties which are not within their competence, or by otherwise improperly treating them.

If the protector find the master guilty of any offence, he shall denounce him to the proper tribunal; and if the offence be only a slight one, he shall himself impose a fine not exceeding \$100.

LIX. In order to ensure the fulfilment of the regulations of the two preceding Articles, the protectors shall have the power to visit, when they think proper, the estates or establishments where there are colonists, either personally or by means of other functionaries, and to examine the colonists as they may think fit.

LX. The delegates of the master in the estate or establishment in which the colonists work, may also exercise disciplinary jurisdiction, but under the pecuniary responsibility of the same master, and without prejudice to the penal responsibility which they may incur.

LXI. The following offences shall be punished as bove (disciplinarmente):—

1. Insubordination to the master, to the superintendents, or to any other delegate of the master.

2. Refusal to work, or want of punctuality in any particular piece of work.

3. Injuries which do not oblige the party injured to suspend work.

4. Desertion.

5. Drunkennees.

6. Infraction of the rules of discipline established by the master.

7. Offences against good manners, not constituting crimes, which cannot be prosecuted unless at the instance of the parties, or which constituting a crime of this kind, are not prosecuted by the party offended.

8. Any other act done with malice, and from which injury or damage accrues to a third person, and which nevertheless does not constitute an offence subject to legal prosecution.

LXII. The disciplinary jurisdiction shall be exercised by the masters without prejudice to the right of injured parties to require that the offending colonist shall be punished by the tribunals if there be just cause.

LXIII. The ordinary tribunals, to which the colonists shall present themse

of injured parties to require that the offending colonist shall be punished by the tribunals if there be just cause.

LXIII. The ordinary tribunals, to which the colonists shall present themselves, represented in the form prescribed in Article XXVI, shall have cognizance in all cases of penal or civil responsibility in which the masters are not competent judges according to the regulation in Article LXI.

LXIV. When the punishments pointed out in Article LVI. are not sufficient to prevent the colonist from repeating the same or committing other offences, the master shall apply to the protector, who, if the act constitutes an offence according to the laws, shall decide that the guilty colonist may be punished by them; and if not, by additional disciplinary punishment.

LXV. If the colonists of an estate should mutiny, or resist by force and collectively the orders of their superiors, the master may also employ force to bring them to order; and he shall give immediate information to the delegated protector, in order that if the gravity of the case require it, he may take measures for having the guilty colonists punished at once in the presence of the other colonists.

to Chinese and Yucatan colonists are hereby abrogated.

General Regulation.

The Governor Captain-General of the island shill take the proper measures incrder that every year, by the month of January, lists of the colonists may be made out or corrected; the lists shall state their names, sex, ages, country, whether they are married or single, their trades, the period of their contract, and the name, profession and domicile of their respective masters.

The soal authority shall send to the Presidency of the Council of Ministers an annual abstract of the said registers, stating the number of colonists of each nation, classified by sexes: by ages, up to 15 years, from 15 to 50, and from that age upwards; by occupation, whether agricultural, industrial or domestic; by the districts in which they reside; and by the time of duration of their contracts, according as they may be under five years, from five te ten years, from ten to fifteen years, and from fifteen years powards.

Given at the Palace, March 22, 1854.

years upwards.

Given at the Falace, March 22, 1854.

Signed by the Royal Hand.

The President of the Council of Ministers,
(Signed)

Luis Jose Sarronius.

Taking into consideration the reasons stated to
me by my President of the Council of Ministers, and
in conformity with the opinion of the same Council,
I have determined to approve the following regulations, which are to be observed in the island of Cuba for preparing lists and a civil register of slaves:

CHAPTER I.

Respecting Lists and First Inscription of Slaves in the Civil Register.

ART. I. On such days as the Captain General may fix, the municipal officers of the towns (pedanos), accompanied by such functionarles or private individuals as the respective Governors or Lieutenan-Governors may appoint, will proceed to the preparation of the lists of aleves throughout the island.

II. These lists shall state, with due clearness and exactitude, the names of the alaves, their sex, the nation to which they belong, and their age, if it be known, and if not known, what their age may appear to be; also the names of their parents, if known, their social position, their occupation, their personal description, and lastly, the name, profession, and domicile of the owner.

III. The municipal officers and the delegates accompanying them will sign all the lists of their district, and the owners of slaves will sign their own lists, both being responsible to the Governor or to the tribunsls, according to the gravity of the case, for any mistake or any inexactitude showing a fraudulent intention.

IV. Any owner of slaves who shall cause to be entered in the lists a greater number of slaves than hereally possesses, shall pay a fine of from \$200 to \$500 for every additional slave so entered.

V. The same penalty shall be inflicted on the owner who shall enter any of his slaves with a class description, showing a fraudulent intention.

VI. The "pedanoe" and delegates who appeared to in the two preceding Artioles, shall be cried and punished as forgers of public documer.

VII. After the expiration of the same.

VIII. In every other town a district a civil register of slaves shall be complete the miscription of the respective district. Ampling a cortified comprise all those slaves who, they have described for the formation of the lists, and when the civil register of slaves shall be opened, the Capital comprise all those slaves who the formation of the lists, and when the civil register in the district shall be opened the Capital

laid down in the next chapter.

The issuing of the ticket shall always be entered in the register book, and if it should be issued in duplicate, the reason for so doing will be stated.

XV. The registers being once closed, all slaves who may not have been inscribed therein by their owners shall be considered as manumitted and free, by virtue of the law, with the exception of those cases in which the proper authorities may direct the slaves to be registered, according to the regulations hereinafter laid down.

XVI. After the expiration of the term in which the owners of slaves are to recieve from the "pednaeco" the register tickets, the slaves will not be allowed to pass freely in the country or on the public roads without carrying with them one of the copies of their ticket.

Any slave who may be found without this document will be treated as a deserter; and after his arrest by the authorities notice will be sent to the owner that he may present the register ticket.

If within thirty days after that in which the owner has received the aforesaid notice the register ticket shall not be presented, the slave shall be declared free, and the proper authority will deliver to him his letter of freedom.

XVII. After the register has been closed, only the following slaves will be inscribed in it for the first time:—

1. Slaves born subsequently to the closing of the

1. Slaves born subsequently to the closing of the register.
2. Those who may be declared slaves by sentence of the courts of justice, and after due proof of their legitimate origin.
3. Those whom the Captain-General or his delegates the Governors, or Lieutenant-Governors, may direct to be entered as legitimately imported into the island, or as not having been in the possession of their owners during the period fixed for their inscription.

scription.

XVIII. The newly born slaves shall be entered by their owners within one month, to be reckoned from the day of their birth, in the form prescribed in Article II.

XIX. The men of color whose state of freedom or of slavery may be in question before the courts of justice, shall be entered with a note of this circumstance; but the sentence whereby they are declared slaves will have no force whatsoever, so long as it has not been registered in the form hereinafter described.

has not been registered in the form hereinafter de-scribed.

XX. Any person legitimately importing any slave into the island of Cuba, shall present him, within eight days after his arrival, to the superior political authority of the port in which he has been landed in order that that functionary, after having duly ascertained the legitimacy of his origin, may direct him to be registered in the town where he is to re-side.

ascertained the legitimacy of his origin, may direct him to be registered in the town where he is to reside.

If the slaves so imported should be obliged to continue their journey, in company with their owners, within the eight days, the owners shall cause them to be included in their own passports until they arrive at the place where they are to fix their neidence.

If the order for entering a slave is to be carried into effect out of the district of the authority by whom it has been given, such order will only serve as a pass, in order that the slave may present himself to the Governor or the Licutenant-Governor of the district where he is to reside, and that the owner may apply to the aforesaid functionaries to have the slave registered, after the necessary inquiries.

In no case shall the pass in question be valid beyond thirty days from its date.

XXI. The Governors of ponal establishments will cause the slaves who may be under their custody to be registered, stating, in the register of each alwo, the owner to whom he belongs, the cause of his imprisonment, the period of his santence, and how much of it is unexpired.

XXII. Those slaves who may have run away during the time fixed for the registeration, and who may subsequently be found, shall be registered, after these functionaries shall have duly ascertained the fact of the alave having run away.

Vearly Revision of Lasts, and Inscription of the Titles Reslative to Slaves.

XXIII, Every year in the month of January, and